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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

G. DALLAS NORTON & ASSOCIATES,

Plaintiff,

v.

Case No.: 2:15-cv-01693-JCM-NJK

CYNTHIA HARRIS, an individual,  
LINCOLN FINANCIAL GROUP, THE  
LINCOLN NATIONAL LIFE  
INSURANCE COMPANY, CIGNA  
GROUP INSURANCE, LIFE INSURANCE  
COMPANY OF NORTH AMERICA,  
SOUTHWEST AIRLINES CO. FUNDED  
WELFARE BENEFIT PLAN, AMERICAN  
MEDICAL RESPONSE, FREMONT  
EMERGENCY SERVICES, RADIOLOGY  
ASSOCIATES OF NEVADA, ST. ROSE  
DOMINICAN – SAN MARTIN CAMPUS,  
ALIGN CHIROPRACTIC CENTENNIAL  
GROUP, ANTHEM CHIROPRACTIC,  
SELECT PHYSICAL THERAPY,  
PERSONAL PRIMARY CARE, P.C., LAS  
VEGAS RADIOLOGY, MEDICAL  
FUNDING RESOURCES,

Defendants.

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**JOINT STATUS REPORT**

The Parties, in compliance with the Minute Order issued on September 3, 2015 [RE #3],  
state as follows:

**1. Pending Motions or Other Matters Requiring the Court's Attention:**

**RESPONSE:** None at this time. However, the parties anticipate that Plaintiff's counsel  
will begin requesting that the Court enter default judgments as to the parties who have  
failed to appear or otherwise assert a claim to the proceeds at issue in this case.

**2. Statement of Action to be taken by the Court:**

**RESPONSE:** Cynthia Harris ("Harris") was involved in an automobile accident on or  
about August 22, 2014 ("Accident"). With the assistance of Plaintiff, Harris settled her  
claims arising out of the Accident for \$35,000.00 ("Disputed Funds"). Plaintiff is in

doubt as to the rightful claimants to the Disputed Funds, and requests this Court's assistance in determining the rightful owners to the Disputed Funds, including Plaintiff's interests in retaining its fees and costs.

**3. Contentions and claims by the respective parties:**

**A. G. Dallas Horton & Associates:** G. Dallas Horton & Associates has asserted an attorney lien for this matter in the total amount of \$13,285.91.

**B. Southwest Airlines Co. Welfare Benefit Plan:** The Southwest Airlines Co. Welfare Benefit Plan ("Plan") is self-funded and covered by the Employee Retirement Income Security Act of 1974 ("ERISA"). At all times relevant to this action, Harris was a covered person under the Plan. To date, the Plan has paid benefits in the amount of at least \$9,124.56 on behalf of Harris for injuries related to the Accident. The Plan has a first priority right of subrogation and reimbursement to the full extent of benefits paid, which attaches at the moment benefits are paid, regardless of whether the Plan participant is made-whole by any recovery and the Plan's subrogation and reimbursement interest shall not be reduced by another party's attorney's fees.

**C. Align Chiropractic:** Defendant Align Chiropractic ("Defendant Align") is a medical facility that provided medical care and services to Defendant CYNTHIA HARRIS following the Accident. Defendant Align and Defendant CYNTHIA HARRIS entered into a contract concerning payment for said medical care and services. Defendant Align performed each and every would be contractual obligation owed to Defendant CYNTHIA HARRIS. Defendant CYNTHIA HARRIS is liable to Defendant Align for the total billed charges in the amount of \$2,991.60 for costs incurred for medical care and services provided, and payment of the same by Defendant CYNTHIA HARRIS is not contingent upon any settlement recovered. Any partial payment to Defendant Align by way of this action for any amounts owed to Defendant Align by

Defendant CYNTHIA HARRIS does not discharge Defendant CYNTHIA HARRIS' obligation to Defendant Align for the balance remaining for the medical treatment.

**D. Anthem Chiropractic:**

**E. Cynthia Harris:**

**4. Status of Other Parties:**

**Cigna Group Insurance, Life Insurance Company of North America, Lincoln Financial Group, and The Lincoln National Life Insurance Company** have disclaimed an interest in this matter and were dismissed from the action while the matter was still pending in the District Court of Clark County, Nevada.

**Advanced Orthopedics and Sports Medicine and Advanced Pain Consultants** have disclaimed an interest in this matter, and may be dismissed.

**United Healthcare, Select Physical Therapy, Medical Funding Resources, Personal Primary Care, P.C., American Medical Response, Radiology Associates of Nevada, St. Rose Dominican – San Martin Campus, and Las Vegas Radiology** have neither responded to the Interpleader Complaint, nor disclaimed an interest in these proceedings to date.

Dated: October 12, 2015

BARRON & PRUITT, LLP

G. DALLAS HORTON & ASSOCIATES

/s/ Joshua A. Sliker  
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Welfare Benefit Plan, incorrectly named as  
Southwest Airlines Co. Funded Welfare  
Benefit Plan*

/s/ David L. Thomas  
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*Attorneys for Align Chiropractic*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 12<sup>th</sup> day of October, 2015, I served the foregoing **JOINT STATUS REPORT** as follows:

☒ US MAIL: by placing the document(s) listed above in a sealed envelope, postage prepaid, in the United States Mail at Las Vegas, Nevada, to Cynthia Harris only:

☒ BY ELECTRONIC SERVICE: by electronically serving the document(s) listed above with the U.S. District Court's CM/ECF system upon the following:

G. Dallas Horton, Esq.  
David L. Thomas, Esq.  
Christian Z. Smith, Esq.  
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*Defendant Pro Se*  
**Via mail only**

/s/ Jill L. Williams

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An Employee of BARRON & PRUITT, LLP